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ART UNIT	PAPER NUMBER
2761	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/371,697

Applicant(s)  
Frank Simon, Mike Simon, Ron Mueller

Examiner  
Tongoc Tran

Group Art Unit  
2761



☒ Responsive to communication(s) filed on Aug 10, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosler (US Patent No. 5,969,633).

- 3) Regarding to claim 1, Rosler discloses a method for enabling and disabling equipment comprising the steps:

-generating a reference code; providing to a comparator for the reference code; receiving a code; comparing received code with reference code; disabling a critical system if agreement between received code and reference code is not detected; enabling ignition if agreement between entered code and reference code is detected (see col. 1 lines 4-14 and col. 3, lines 13-16). Rosler fails to disclose the enabling and disabling of the equipment is in response to payments being

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timely made. Applicant, on the other hand, has disclose in the specification under the Prior Art section that such enabling and disabling system can be used in response to payments being timely made (see specification page 1). Applicant did not recite a payment due deadline is being computed. Official Notice is taken that it is old and well known in business practice that payment is generated with deadline due date when a loan is being enforced. It would have been obvioius to one of ordinary skill in the art at the time of applicant's invention to include payment deadline computation with Rosler and Applicant's Prior Art because it will enable loan company to reenforce the payment of the vehicle in a timely manner.

4) Regarding to claim 2, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 1. Rosler and Applicant fail to disclose the limitation of the computing of deadline payment further defined as computing a payment deadline in agreement with terms of a loan formula having parameters in the group: total number of payments, payment period, grace period, and start date. However, Official Notice is taken that it is old and well known in the business practice that any loan payment is computed with payment deadline in agreement with terms of a loan formula having parameters such as number of payment, payment period, grace period and start date (ie. car and student loan). It would have been obvioius to one of ordinary skill in the art at the time of applicant's invention to include payment deadline computation with Rosler and Applicant's Prior Art because it will enable loan company to reenforce the payment of the vehicle in a timely manner.

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5) Regarding to claim 3, Rosler in view of Applicant's prior Art disclose a method as set forth in claim 2. Rosler and Applicant fail to disclose the computing due deadline step being performed in an initialization process where a host computing apparatus is connected to a client computing apparatus, the host computing apparatus providing the client computing apparatus with a database including a plurality of payment due deadline data elements. Official Notice is taken that it is old and well known in the computer art that a host computer connected to a client computer and host computer providing the client computer with a database of payment information. (ie. consumers accessing company's web site to check on their accounts or billing information via the Internet). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include the accessibility of consumer's account with Rosler and Applicant's Prior Art because it will enable consumer keep up to day of their payment information even during company's non-operational hours.

6) Regarding to claim 4, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 2. Rosler and Applicant fail to disclose the computing of payment due deadline is performed by a logic processor from time to time throughout the life of the loan. Official Notice is taken that it is old and well known in business art to compute monthly payment due deadline via a computer ( logic processor) monthly throughout the life of the loan. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include payment deadline computation from time to time throughout the life of the loan with Rosler and Applicant's Prior

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Art because it will enable loan company to reenforce the payment of the vehicle in a timely manner.

7) Regarding to claim 5, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 1. Rosler and Applicant fail to disclose the reference code occurs in an initialization process where reference codes are computed together and provided to an apparatus as a data set. Official Notice is taken that is old and well known in the computer art to generate a set of code and store them in a memory or database. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include the computation of reference code and store them in memory or database with Rosler and Applicant's Prior Art because it will ensure that a new code is needed in order to verify that a new code is needed to be entered by the consumer before the next payment is due to enforce the loan being paid in a timely matter.

8) Regarding to claim 6, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 1. Rosler further discloses generating a reference code occurs in a logic processor for specific time period (see col. 4, lines 11-13; col. 3, lines 66 and 67).

9) Regarding to claim 7, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 1. Rosler further discloses the receiving entry of a code via a user interface includes a user manipulating an apparatus to convey a code to a logic process (see fig. 12 and col. 4, lines 11-13).

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10) Regarding to claim 8, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 1. Rosler further discloses the comparing entered code with reference code step includes determining if a correspondence between codes exists (see col. 4, lines 21-23).

11) Regarding to claim 9, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 1. Rosler further discloses the disabling a critical system is temporarily causing the critical systems of the equipment to be blocked or inoperable (see col. 3, lines 13-16).

12) Regarding to claim 10, Rosler in view of Applicant's Prior Art disclose a method as set forth in claim 1. Rosler further discloses the enabling the critical system is releasing a disabling critical system from its disabled state or leaving an operable critical system in an operable condition (see col. 4, lines 23-31).

13) Regarding to claim 11, Rosler discloses an apparatus for enabling and disabling equipment comprising:

- a critical system interruption circuit connected to a critical system of the equipment and in communication with (see col. 3, lines 13-15);

- a logic processing unit operable for performing logic operations, the logic processing unit further being in communication with (see col. 4, lines 11-14);

- means for periodically receiving a code and transmitting the code to the logic processing unit (see fig. 1, items 12 and col. 4, lines 11-14). Rosler fails to disclose the enabling and disabling of the equipment is in response to payments being timely made. Applicant, on the other

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hand, has disclose in the specification under the Prior Art section that such enabling and disabling system can be used in response to payments being timely made (see specification page 1).

14) Regarding to claim 12, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 11. Rosler further discloses the logic processing unit comprising:

- a comparator (see col. 4, lines 20-21); and

- a reference code providing means (see fig. 1, item 10);

the comparator operable for comparing reference codes with received codes and triggering events in response to the comparisons (see col. 4, 21-25), and the reference code providing means being operable for periodically providing reference codes to the comparator where the reference codes correspond to the specific time period (see fig. 1, item 10 and col. 4, lines 23-25).

15) Regarding to claim 13, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 12. Rosler further discloses the means for periodically receiving a code is a user interface whereby a user may manipulate the interface to cause a code to be received at the apparatus (see fig. 1, item 12 and col. 1, lines 46-48; Applicant defines user interface as input device in specification. See specification page 8).

16) Regarding to claim 14, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 13. Rosler further disclose that the user interface is in electronic communication with the logic processing unit (see fig. 1, item 12 and col. 4, lines 11-13).



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16) Regarding to claim 15, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 14, Rosler further discloses the user interface is a keypad which converts tactile input to digital code (see col. 2, line 3).

17) Regarding to claim 16, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 12. Rosler further discloses means for periodically receiving a code is an automatic system which operates without user input (see col. 2, lines 55-56 and col. 2, line 65-col. 3 line 2).

18) Regarding to claim 17, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 16. Rosler further discloses the automatic system is an arrangement of a modem and telephone communication link (see col. 1, lines 55-56).

19) Regarding to claim 18, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 16. Rosler further discloses the automatic system is radio receiver (see col. 1, line 55).

20) Regarding to claim 19, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 11. Rosler further discloses the equipment is an automobile (see col. 1, line 19).

21) Regarding to claim 20, Rosler in view of Applicant's Prior Art disclose an apparatus as set forth in claim 19 where critical system is an ignition system (see col. 3, line 14).

### ***Conclusion***

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Art Unit:

Washington, D.C. 20231

**or faxed to:**

(703) 305-9051, (for formal communications intended for entry)

**Or:**

(703) 305-0040, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tongoc Tran, whose telephone number is (703) 305-8967 and whose e-mail address is Tongoc.Tran@uspto.gov. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Todd Voeltz, can be reached at (703) 305-9714. The fax phone number for this Art Unit is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TT  
10Nov99

  
**EDWARD R. COSIMANO**  
**PRIMARY EXAMINER**